

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4 and 16 are presently active in this case, Claim 1 having been presently amended and Claims 5-15 having previously been canceled.

In the outstanding Official Action, Claims 1-4 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo (US 006629136B1) in view of Wilson (US 7,007,080 B2) in view of Lemilainen et al (US 006766160B1, hereinafter “Lemilainen”); and Claim 3 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Naidoo in view of Wilson further in view of Coppinger et al. (US 2001/0046862 A1, hereinafter “Coppinger”).

In light of the outstanding ground for rejection, and in view of the newly cited prior art, Claim 1 has been amended to clarify the subject invention and thereby more clearly patentably define over the newly cited prior art. To that end, amended Claim 1 defines Applicants’ invention in terms of “a portable terminal in an information distribution system using a local server accessible through a local radio network for a short-distance communication with no communication fee and using a subscription server accessible through a public network for a long-distance communication with a communication fee, the portable terminal.”

In an exemplary embodiment of the present invention provided in Applicant’s specification, for example, the portable terminal 1 sends a local information access request for local information provided by the Bluetooth base station 2, to the Bluetooth base station 2 only through the Bluetooth (local radio network) by means of the Bluetooth interface 17 (see page 6, lines 15-27, page 8, lines 17-20, page 11, lines 24-27 and FIGS. 1, 2, 5, 6). The portable terminal 1 also sends a membership subscription request to the subscription server 3 through the public network by means of the public network interface 19 (see page 6, lines 15-

27, page 9, lines 22-27, page 12, lines 13-18 and FIGS. 1, 2, 5, 6). Here, the portable terminal 1 can use the Bluetooth with no communication fee and the public network with a communication fee and the public network with a communication fee (see page 1 line 23 - page 2 line 7). Therefore, a user can minimize a communication fee to be paid a communication carrier when getting the local information from the local server by using the portable terminal 1. In view of the noted disclosure in the exemplary embodiment, it is respectfully submitted that no new matter is added by the present amendment, and further, that the claimed invention patentably defines over the cited prior art, for the reasons next discussed.

As stated in the outstanding Office Action, it appears that the outstanding rejection is based on the finding that it would have been obvious to one of ordinary skill in the art at the time of invention of made to further modify the terminal with two interfaces as taught by Lemilainen to carry out the registration for account through the public telephone network via cellular network using the same terminal as cited in claim 1 because Lemilainen teaches the mobile terminal with a local radio network interface to access to LAN and cellular interface to access to public telephone network via cellular network.

Applicant respectfully disagrees because in Applicant's view Lemilainen fails to teach or suggest a local server access request unit configured to send an access replied for original local information provided by the local server, to the local server only through the local radio network with no communication fee, along with a terminal ID for identifying the portable terminal. Applicant further submits that Naidoo and Wilson also fail to teach or suggest the above-described local server access request unit.

Furthermore, although Lemilainen discloses the mobile terminal 12 including the cellular transceiver circuitry 16 to access to a public telephone network (public network) and the Bluetooth transceiver circuitry 18 to access to a Bluetooth radio network (local radio

network), Lemilainen fails to teach or suggest that the mobile terminal 12 sends an access request for local information to a local server to receive the local information from the local server, only through the Bluetooth radio network, in order to minimize a communication fee to be paid to a communication carrier at the time of getting the local information. In fact, it is Applicant's view that Lemilainen merely discloses that the Bluetooth transceiver circuitry 18 sends signals for facilitating authentication procedures between the mobile terminal 12 and the PBU (Personal Base Unit) 26, to the PBU 26 through the Bluetooth radio network.

Naidoo discloses a user node 100 (or a communications device 400) which obtains local information corresponding to specific geographic areas from a web server 120 (or a content provider 410).¹ Naidoo however fails to teach or suggest that the user node 100 (or the communication device 400) sends an access request for the local information to the web server 120 to receive the local information from the web server 120, only through a local radio network, in order to minimize a communication fee to be paid to a communication carrier at the time of getting the local information. Indeed, Naidoo does not teach or suggest that the network 110 used to connect the user node 100 (or the communications device 400) to the web server 120 is a local radio network with no communication fee.²

Wilson also fails to teach or suggest that the laptop 101 sends an access request for local information to the solution IPTTM server 103 to receive the local information from the solution IPTTM server 103, only through a local radio network, in order to e a communication fee to be paid to a communication carrier at the time of getting the local information.

In view of the foregoing, it is respectfully submitted that the claimed invention patentably distinguishes over Naidoo, Wilson and Lemilainen, whether these references are considered alone or in combination. Accordingly, the outstanding rejection of Claim 1 is

¹ Naidoo, col. 6, lines 56-67; col. 11, lines 12-22; and FIGS. 1, 4.
² Id., see col. 7, lines 16-20, and col. 11, lines 12-14.

believed to have been overcome and withdrawal thereof is respectfully requested. Similarly, it is respectfully submitted that the outstanding rejection of Claims 2, 4 and 16 which depend from Claim 1 is also overcome by virtue of their dependency from Claim 1.

Turning now to the rejection of Claim 3 as being unpatentable over Naidoo, Wilson, and Coppinger, Applicant respectfully submits that Coppinger also fails to teach or suggest a local server access request unit configured to send an access request for original local information provided by the local server, to the local server only through the local radio network with no communication fee, along with a terminal ID for identifying the portable terminal. Thus, Coppinger fails to cure the deficiencies of Naidoo and Wilson, and Claim 3 is likewise believed to be patentably distinguishing over Naidoo, Wilson, and Coppinger.

Consequently, in view of the present amendment and in light of the above comments, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870